

Amendment
Serial No. 10/645,188

Docket 5000-1-421

REMARKS

Reconsideration of all grounds of rejection and allowance of all the pending claims are respectfully requested in light of the above amendments and the following remarks. Claims 1-4 and 6-8 remain pending herein. Claim 5 has been canceled without prejudice or disclaimer and its subject matter incorporated into claim 1. In addition, claim 1 has been further amended to recite that the zapping protocol processor receives digital broadcast signals for all the channels from the broadcast-signal processor, wherein a protocol for selecting a broadcast signal conforms to a related standard, support for which is found in the specification at least at page 11, lines 17-22.

Claims 1 and 3-5 stand rejected under 35 USC § 102(b) as allegedly being anticipated by Lehman *et al.* (US 4,763,317) ("Lehman"). Claim 2 stands rejected under 35 USC § 103(a) as allegedly being unpatentable over Lehman in view of Lin *et al.* (US 2002/0093969) ("Lin"). Claims 6 and 7 stand rejected under 35 USC § 103(a) as allegedly being unpatentable over Lehman in view of Williams *et al.* (US 5,808,767) ("Williams") and Ovadia *et al.* (US 6,400,720) ("Ovadia"). Claim 8 stands rejected under 35 USC § 103(a) as being unpatentable over Lehman in view of Williams. Applicant respectfully traverses these ground of rejection for the reasons indicated herein below.

With regard to present claim 1, at least one difference over Lehman (and any combination of Lehman and Lin, Williams, and/or Ovadia) is that Lehman and Ovadia fail to disclose a zapping protocol processor, and thus the combinations of references would have failed to render any of the present claims obvious to a person of ordinary skill in the art at the time of invention.

With regard to a zapping protocol processor, Applicant respectfully submits that

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such a processor includes a zapping information processor and a broadcast switching processor. The zapping protocol processor sends the broadcast selected by a user from among MPTS input in a broadcast signal processor in order to send the channel selected by each user from among the several broadcast channels. The user zapping information processor receives the broadcast select information of each user through an IP port base, wherein each port includes information on the broadcast channel selected by the user, and extracts the broadcast channel information of the user and sends a zapping control signal of the broadcast switching processor. The broadcast switching processor switches the broadcast according to a zapping control signal in the all broadcast signals inputted from the broadcast signal processor and allocates the broadcast to the user.

While it is alleged in the Office Action that Lehman discloses a zapping protocol processor, Applicant respectfully submits that Lehman only discloses a wideband switch 505 (in FIG. 9), which is not a zapping protocol processor.

Furthermore, with regard to the combination of references, Applicant also respectfully submits that Ovadia also does not disclose a zapping protocol processor, and thus the combination of references fails to render the claims as being obvious.

Accordingly, amended claim 1 now recites in part:

a zapping-protocol processor for outputting information of at least one channel selected by the user from the signal output from the broadcast-signal processor, wherein said zapping-protocol processor receives digital broadcast signals for all the channels from the broadcast-signal processor, wherein a protocol for selecting a broadcast signal conforms to a related standard.

As disclosed in the specification at page 11, lines 17-22, the zapping protocol processor processes signals and outputs a selected signal according to a standard, which

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is not disclosed (or suggested) by the wideband switch 505 of Lehman.

For at least the above reasons, Applicant respectfully submits that claim 1 is not anticipated by Lehman, nor would have a person of ordinary skill in the art found present claim 1 obvious at the time of the invention in view of Lehman and the skill in the art.

In accordance with MPEP 2131, under 35 U.S.C. §102, according to the United States Court of Appeals for the Federal Circuit, a "claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference" (*Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) (emphasis added)). Therefore, to reject a feature, which is alleged to patentably distinguish the claim containing such feature, as being anticipated by a prior art, the Office Action must establish that the same feature is present in the prior art reference. As Lehman fails to disclose each and every element as set forth in claim 1, this claim is not anticipated by the reference.

Applicants respectfully submit that at least for the above reasons, all grounds of rejection under 35 U.S.C. §102(b) has been overcome.

Applicant also respectfully submits that claim 1 (as well as any of the other claims) would not have been obvious to a person of ordinary skill in the art at the time of invention the combination of elements recited in the claims would not have been within the ordinary level of skill in the art.

With regard to the rejections under 35 U.S.C. §103(a) in view of Lehman and Lin, Lehman and Williams (with or without Ovadia), or any combination thereof, Applicant respectfully submits that none of the present claims would have been obvious to a person

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of ordinary skill in the art at the time of invention in view of the combination of references. Nor would the recited elements, as combined in the claims, have been obvious at the time of invention as being within the ordinary level of skill in the art. (*KSR International v. Teleflex*, 127 S.Ct. 1727, 82 USPQ2d 1385 (2007)).

With regard to the claims 2-4 and 6-8, each of these claims is believed to be patentable at least for dependence from claim 1, which is believed to be patentable for the previously-indicated reasons. In addition, individual consideration of each of the dependent claims on their own merits is respectfully requested.

For all the foregoing reasons, it is respectfully submitted that all grounds of rejection in the Office Action have been overcome, and the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

In the event that any additional fee is required to continue the prosecution of this Application as requested, please charge such fee to Deposit Account No. 502-470.

Respectfully submitted,



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